

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HABIBOLLAH KERMANSHAH, :

Plaintiff, :

-against- :

ABBAS KERMANSHAH, et al., :

Defendants. :

08 Civ. 0409 (BSJ) (AJP)

ORDER

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ANDREW J. PECK, United States Magistrate Judge:

Based on today's telephone conference, IT IS HEREBY ORDERED THAT:

1. Defendants' motion to dismiss the complaint (Dkt. No. 26) is WITHDRAWN without prejudice in light of plaintiff's filing of its Amended Complaint.

2. Defendants shall file their motion to dismiss the Amended Complaint by May 14, 2008, plaintiff's opposition papers are due May 21, 2008, and defendants' reply papers are due May 28, 2008.

SO ORDERED.

Dated: New York, New York
May 2, 2008



Andrew J. Peck
United States Magistrate Judge

Copies **by fax & ECF** to: Ari Weisbrot, Esq.
Robert M. Abrahams, Esq.
Judge Barbara S. Jones